

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

APR 23 P 3:14  
C.A. NO. 04-11314-PBS

U.S. DISTRICT COURT  
DISTRICT OF MASS

ST. PAUL TRAVELERS, as successor in  
interest to ATLANTIC MUTUAL  
INSURANCE CO. Marine Division, subrogee  
of IBEX LLC, and IBEX, LLC

Plaintiffs

v.

FAIRHAVEN SHIPYARD, INC., and A.I.  
MARINE ADJUSTERS, INC., a member of  
AMERICAN INTERNATIONAL GROUP,  
INC.,

Defendants

PLAINTIFF ST. PAUL TRAVELERS'  
ASSENTED-TO MOTION FOR  
LEAVE OF COURT TO ENLARGE  
TIME WITHIN WHICH TO REPLY  
OR OPPOSE DEFENDANT A.I.  
MARINE ADJUSTERS INC.'S  
MOTION TO DISMISS, OR IN THE  
ALTERNATIVE TO SEVER AND  
STAY

Now comes the plaintiff St. Paul Travelers, in the above-captioned action, and respectfully moves this Honorable Court for enlargement of time within which to reply, or oppose, the defendant A.I. Marine Adjusters, Inc.'s Motion to Dismiss, or in the Alternative to Sever and Stay. As grounds for its motion, St. Paul Travelers states as follows:

- (1) Counsel for plaintiff will be on vacation during the time in which the reply or opposition memorandum will be due; and
- (2) The parties have agreed that an enlargement of time within which to file or oppose until Monday, August 30, 2004 will not serve to prejudice either party.

WHEREFORE, the plaintiff respectfully requests this Honorable Court grant it an

enlargement of time within which to reply or oppose to the defendant A.I. Marine Adjusters Inc.'s motion until Monday, August 30, 2004.

Respectfully submitted,

Defendant,

A.I. MARINE ADJUSTERS, INC.

By its attorney,

*James J. Duane (per WHT)*

James J. Duane, III, Esq. (BBO #136550)  
Robert M. Elmer, Esq. (BBO #640269)  
Taylor, Duane, Barton & Gilman LLP  
111 Devonshire Street  
Boston, MA 02109  
(617) 654-8200

Plaintiffs,

ST. PAUL TRAVELERS as successor in interest to ATLANTIC MUTUAL INSURANCE CO. Marine Division, subrogee of IBEX LLC, and IBEX, LLC

By their attorney,

*William Hewig III*  
William Hewig, III (BBO# 544910)  
Kopelman and Paige, P.C.  
31 St. James Avenue  
Boston, MA 02116  
(617) 556-0007

CERTIFICATE OF SERVICE

I, William Hewig III, hereby certify that on the below date, I served a copy of the foregoing Plaintiff St. Paul Travelers' Assented-To Motion For Leave Of Court To Enlarge Time Within Which To Reply Or Oppose Defendant A.I. Marine Adjusters Inc.'S Motion To Dismiss, Or In The Alternative To Sever And Stay, by first class mail, postage prepaid, to the following counsel of record:

James J. Duane, III, Esq.  
Robert M. Elmer, Esq.  
Taylor, Duane, Barton & Gilman LLP  
111 Devonshire Street  
Boston, MA 02109

Dated: August 20, 2004

229347/61095/0002

*William Hewig III*  
William Hewig III